

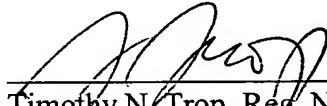
**REMARKS**

Claim 1 has been amended to call for a protective layer that really protects the phase change material from the lower electrode. See the specification at page 8, lines 14-17. The so-called protective layer 110, in the cited reference, is ineffective to protect the alleged phase change material layer 118 from the electrode 106 because, at its center, the asserted phase change material 118 contacts the lower electrode 106. Thus, the asserted protective layer 110 would be ineffective to protect the phase change material from the lower electrode.

Therefore, reconsideration of the rejection is requested.

Respectfully submitted,

Date: March 2, 2005

  
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